

Ellen M. Crowley
Chief Staff Attorney, Arizona Supreme Court
1501 W. Washington, Suite 415
Phoenix, AZ 85007-3231
Telephone: (602) 452-3528
Facsimile: (602) 452-3482

IN THE SUPREME COURT OF ARIZONA

In the Matter of)	
)	Arizona Supreme Court No. _____
)	
THE ARIZONA)	
RULES OF CIVIL)	PETITION TO AMEND RULE 31(c),
PROCEDURE)	ARIZ. R. CIV. P.
)	
)	
)	
_____)	

Pursuant to Rule 28, Rules of the Supreme Court, the Arizona Supreme Court Staff Attorneys' Office petitions the Court to amend the Arizona Rules of Civil Procedure, as reflected in the attachment hereto.

On March 2, 1993, this Court amended Ariz. R. Civ. P. 5(g), relating to the filing of documents. The effect of this amendment was to eliminate the requirement that all discovery items be regularly filed with the court; instead, these documents are to be filed "only when relevant to the determination of an issue before the Court." Ariz. R. Civ. P. 5(g)(2). Also in 1993, the Court amended Ariz. R. Civ. P. 30, relating to depositions upon oral examination, to eliminate the requirement that such depositions be filed. Notwithstanding these changes, no corresponding amendment was made to Ariz. R. Civ. P. 31(c), which requires that "[w]hen the deposition [upon written questions] is filed the party taking it shall promptly give notice thereof

to all other parties.” This petition proposes that the provision be deleted, as set forth in the attachment hereto, to conform with the 1993 amendment to Ariz. R. Civ. P. 5(g).

DATED this _____ day of December, 2011.

Ellen M. Crowley
Chief Staff Attorney, Arizona Supreme Court

ATTACHMENT¹

ARIZONA RULES OF CIVIL PROCEDURE

Rule 31(c). ~~Notice of filing~~ Deleted.

~~When the deposition is filed the party taking it shall promptly give notice thereof to all other parties.~~

¹ Changes or additions in rule text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.